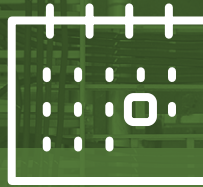


# T S C A

**INVENTORY NOTIFICATION  
ACTIVE-INACTIVE REQUIREMENTS**



# NOTIFICATION DEADLINE

Manufacturer / Importer  
Reporting Deadline



→ February 7, 2018

Processor  
Reporting Deadline



← October 5, 2018

WHAT  
IS TSCA

RISKS OF NON-  
COMPLIANCE

TRUE  
OR FALSE

HOW  
TO REPORT

WHAT  
TO DO NEXT

RESOURCES

ABOUT  
IAEG

LEGAL DISCLAIMER



# WHAT IS THE PURPOSE OF THIS REGULATION?

The Toxic Substances Control Act (TSCA) Chemical Substance Inventory identifies chemical substances manufactured, processed, or imported in the United States for uses that TSCA regulates (e.g., other than food, drugs, cosmetics, pesticides).



EPA is required by Section 8(b) of TSCA to compile and keep ***“the Inventory”*** current



The Inventory was initially published in 1979 and now lists about **85,000 chemicals**



**TSCA Inventory Notification (Active-Inactive) Requirements** update the Inventory by identifying the chemical substances active in the U.S. commerce



# WORTH THE RISK?

Violation of TSCA could result in significant financial penalties—as well as manufacturing, importing and/or processing delays



## CRIMINAL PENALTIES:

Up to one year in jail / \$50,000 penalty per day or both, for knowing or willful violations



**CIVIL PENALTIES: Up to \$37,500** per violation per day



**Manufacturers** who continue to manufacture chemical substances that are not designated as active



**Importers** into the U.S. of chemical substances that are not designated as active



**Processors** that process inactive chemical substances including suppliers and aerospace & defense companies



**Companies** may fall into the various categories of chemical manufacturer, importer, and/or processor, depending on their activity. TSCA violations pose a potential risk to not only their own business, but to their customers as well



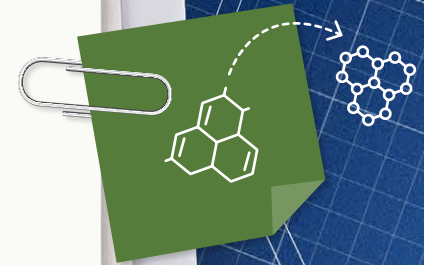


*"I do not sell to the United States directly, therefore the TSCA Inventory Notification rule does not affect me"*



## TRUE

**HOWEVER**, the customers who import your product into the United States need your help with substance information to complete their notification requirements



*"The Aerospace and Defence industry uses specialized chemical substances and mixtures in limited volume, thus, there is a high business continuity risk due to the TSCA Inventory notification compliance deadline"*



## TRUE

Chemical substances must be identified as active on the inventory in order for the chemical substance to be manufactured, imported, or processed

*"As an importer, my company does not need to submit a Notice of Activity (NOA) for my chemical substances because I am going to wait for another supplier to provide an active designation"*



## FALSE

EPA requires **all** manufacturers and importers to submit a **Notice of Activity Form A** unless your company has a receipt from another company showing that a notification was already submitted for that chemical or the chemical is exempt from Form A notification

*"If Isolated intermediates are created during the manufacture of a substance in the U.S. that is used in a product, my company needs to comply with the TSCA Inventory Notification Rule"*



## TRUE

Your company needs to submit an NOA Form A per the Manufacturer Reporting requirements (**February 7, 2018**)

# RETROSPECTIVE REPORTING

Companies must identify chemical substances that were manufactured, imported or processed from June 21, 2006 through June 21, 2016



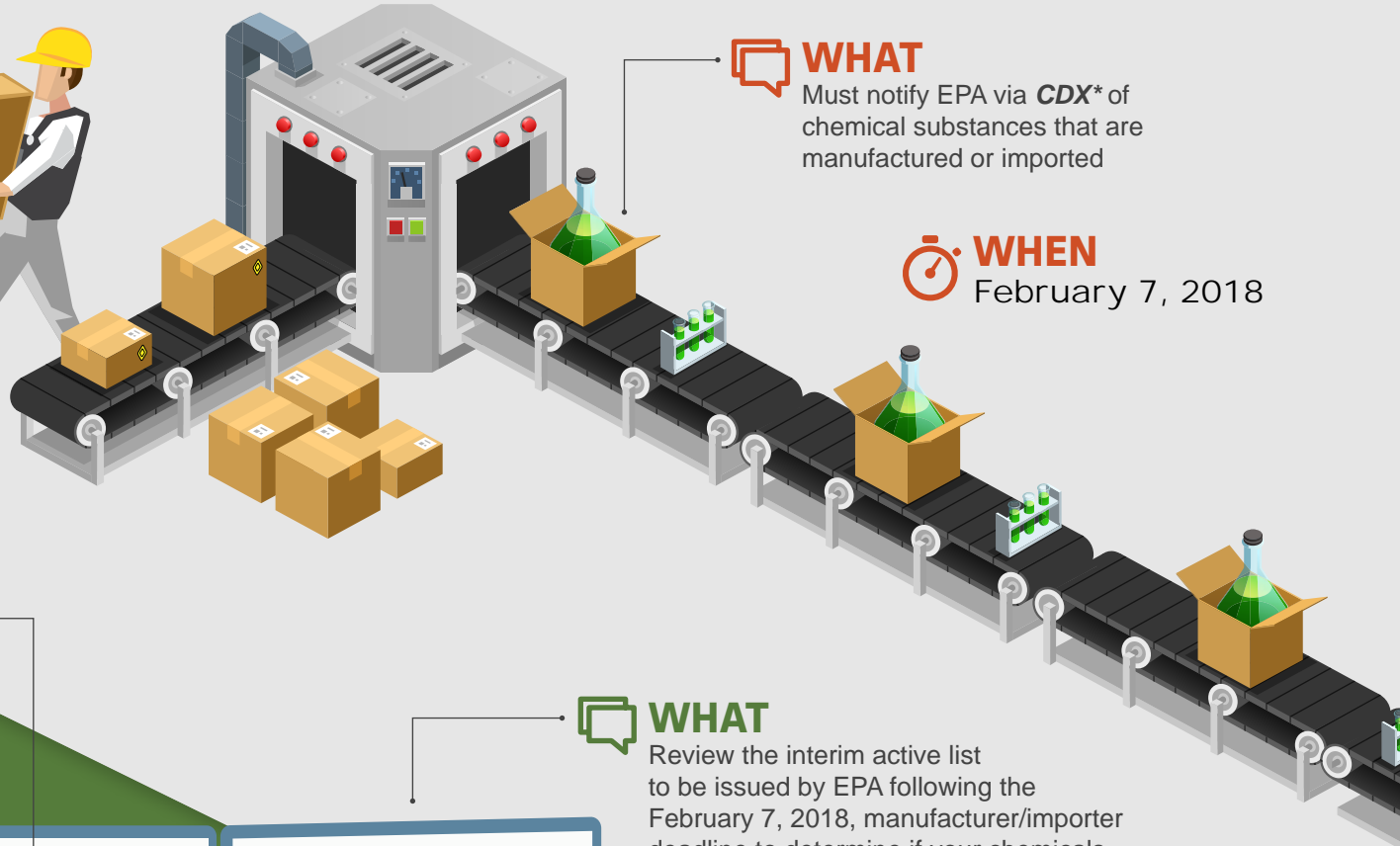
## WHO

Companies that **manufactured** or **imported** a chemical substance during the lookback period



## NOTE

A company that imports a formulated mixture imports all the individual components of that mixture



## WHAT

Must notify EPA via **CDX\*** of chemical substances that are manufactured or imported



## WHEN

February 7, 2018



## WHO

Companies that **processed** a chemical substance during the lookback period



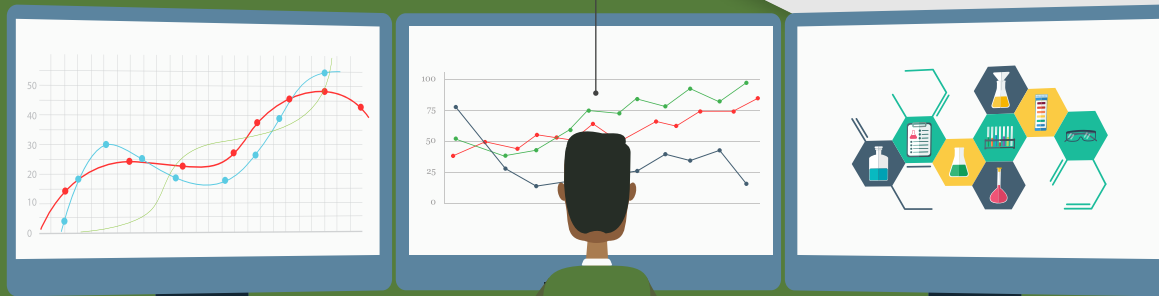
## WHAT

Review the interim active list to be issued by EPA following the February 7, 2018, manufacturer/importer deadline to determine if your chemicals are active. **If not, then notify EPA**



## WHEN

October 5, 2018



\*CDX (EPA's Central Data Exchange)

# FORWARD-LOOKING REPORTING

Certain information is required to be reported on a Notice of Activity (NOA) in EPA's Central Data Exchange (CDX)

Once the notification period has closed for retrospective reporting, EPA will publish **a list of active/inactive substances**

The forward-looking reporting period begins on the effective date **of EPA's final active/inactive substance designations**

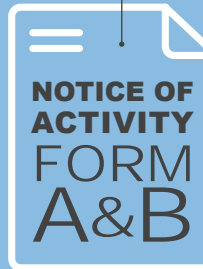
A forward-looking notification using a Notice of Activity Form B must be submitted before a company manufactures, imports or processes an inactive substance

## **NOTE**

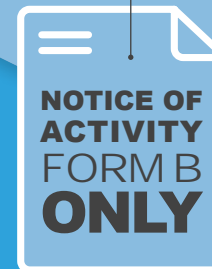
Not more than 90 days prior to the anticipated date of manufacturing, importing or processing



**A certification statement must be signed by the company's "Authorized Official"**




- ✓ Company
- ✓ **Authorized Official**
- ✓ Technical Contact
- ✓ **Chemical-Specific Information**
- ✓ **Certification Statements**



- ✓ **Intended date to manufacture, import or process a chemical substance that is currently inactive**

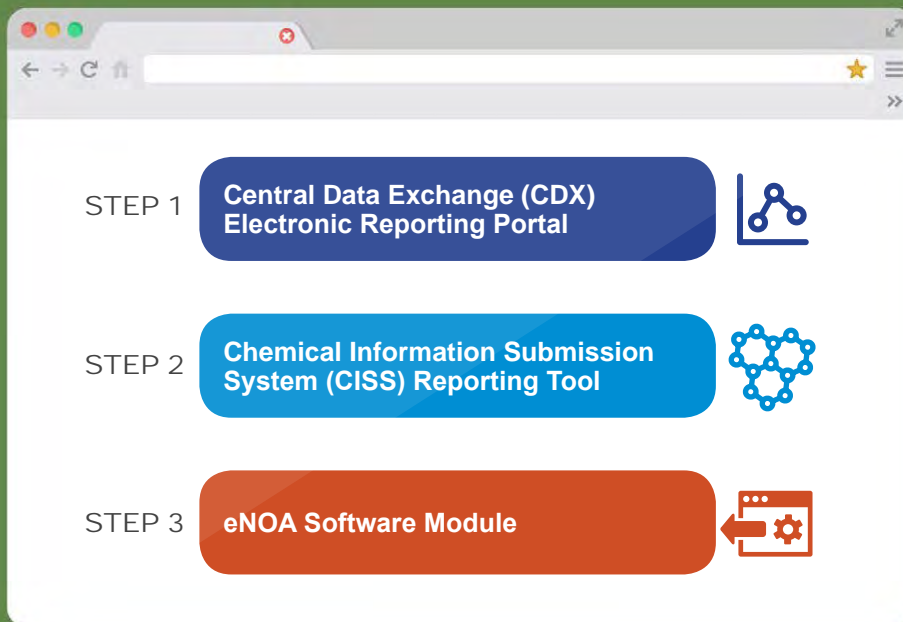



 Use the resources below to submit your form(s)


**NOTICE OF  
ACTIVITY  
FORM A**


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**RETRO-  
SPECTIVE  
REPORTING**



STEP 1 **Central Data Exchange (CDX) Electronic Reporting Portal** 

STEP 2 **Chemical Information Submission System (CISS) Reporting Tool** 

STEP 3 **eNOA Software Module** 

**NOTICE OF  
ACTIVITY  
FORM B**

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**FORWARD-  
LOOKING  
REPORTING**

**AVAILABLE  
AFTER OCT. 5  
2018**






# WHAT TO DO NEXT



Determine if your company is considered a manufacturer, importer or processor of a TSCA defined chemical substance



If you meet the definition of a manufacturer or importer, establish a CDX account

 ALLOW SUFFICIENT TIME FOR REGISTRATION APPROVAL



Work with your supply chain to identify chemicals, including ingredients in formulations, that may need to be reported as active to ensure business continuity



If you determine you are a manufacturer or importer, prepare and submit in EPA's CDX portal, the NOA Form A for each chemical substance by February 7, 2018



If you determine you are a processor, review the Draft Inventory with active designations to be issued by EPA following the February 7, 2018, manufacturer reporting deadline to determine if your chemicals are active. If not, prepare and submit in EPA's CDX portal, the NOA Form A for each chemical substance by October 5, 2018





# RESOURCES AND TOOLS FOR YOU



For detailed information on the TSCA Notification Rule including requirements and definitions, please refer to the following links and tools

- [Final TSCA Inventory Notification Rulemaking](#)
- [TSCA Inventory Notification Rulemaking User Guide](#)
- [CDX Registration User Guide](#)
- [IAEG Overview Document: TSCA Inventory Notification Rulemaking](#)
- [Bergeson & Campbell Guidance Materials: TSCA Inventory Notification Rulemaking](#)

The below tool is used to complete the registration process. Go to EPA's website to prepare and submit your registration in the Central Data Exchange

- <https://cdx.epa.gov/>



TSCA Hotline  
1-202-554-1404



TSCA Email  
TSCA-Hotline@epa.gov



IAEG Website  
**IAEG.com**



**IAEG**<sup>®</sup> was founded in 2011 with a vision to advance innovative environmental solutions for the aerospace and defence industry.

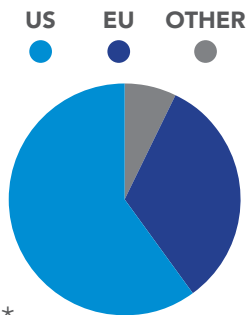
Starting with 11 Founding members, now at 50 members, this collaboration forum is designed to address pertinent environmental issues that all member companies face. As we have grown, we have found tremendous value and synergy in working these non-proprietary issues together, for the betterment of the industry at large.



### REVENUE FOOTPRINT

**\$400 BILLION**

OUT OF AN APPROXIMATE \$700 BILLION INDUSTRIAL BASE\*



### EMPLOYMENT FOOTPRINT

SLIGHTLY OVER **1 MILLION**



OUT OF A ROUGHLY **2 MILLION** INDUSTRIAL BASE\*

\*Deloitte, 2014 Global aerospace and defense sector financial report

### SOLUTIONS

COMPLEX AND INNOVATIVE PRODUCTS THAT LAST

**DECADES** IN THE MARKETPLACE





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